IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 13TH NOVEMBER 2006 / 22ND KARTHIKA 1928

WP(C).No. 26470 of 2006(A)

PETITIONER:

V.SOMASEKHARAN, AGED 55 YEARS,
S/O. VELU, EX-CONDUCTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
ANGAMALI, RESIDING AT SOUBHAGYA, U.C.COLLEGE P.O.,
ALUVA-2.

BY ADV. SRI.H.B.SHENOY
SRI.B.ASHOK SHENOY

RESPONDENT:

KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS CHAIRMAN & MANAGING
DIRECTOR, TRANSPORT BHAVAN, FORT,
THIRUVANANTHAPURAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.26470 of 2006

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Dated this the 13th day of November, 2006

JUDGMENT

No counter affidavit has been filed in this case by the respondent-K.S.R.T.C. The petitioner was dismissed from service on certain charges of misconduct. The issue regarding the legality of the dismissal, according to the petitioner is yet to be finalised. The prayer is that the amounts due to him by way of Provident Fund and Staff Welfare Fund be released to him de hors the pendency of the proceedings regarding the legality of the dismissal from service.

2. Having considered the grounds raised and the submissions of Mr.H.B.Shenoy, learned counsel for the petitioner, I do not find any reason as to why the relief sought for should not be granted especially since no counter affidavit has been filed by the respondent. Accordingly, the Writ Petition will stand allowed. There will be a direction to the respondent-Corporation to release to the petitioner all the amounts due to him on account of Provident Fund and Staff Welfare Fund together with statutory interest on the P.F. amount at the earliest and at any rate within two months of their receiving a copy of this judgment.

srd **PIUS C.KURIAKOSE, JUDGE**